



Department of Environmental Quality

To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.



Matthew H. Mead, Governor

John Corra, Director

March 2, 2012

Certified #7008 1830 0004 7090 9194

Return Receipt Requested

Mr. J.P. Maguire, Refinery Manager
Sinclair Wyoming Refining Co. (40.025)
P.O. Box 277
Sinclair, WY 82334

RE: Issuance of Notice of Violation

Dear Mr. Maguire:

Enclosed is a Notice of Violation (NOV) issued to your facility for violation(s) of the Wyoming State Hazardous Waste Rules and Regulations (HWRR). Specifically, the NOV has been issued for the following violation(s):

1. There is not sufficient aisle space to allow unobstructed movement of personnel and equipment to assure proper storage of the hazardous waste drum and light bulb crusher hazardous waste container. The hazardous waste satellite accumulation container (light bulb crusher container) was not in control of the waste generating process operator [HWRR, Chapter 8 3(e)(iii) and HWRR, Chapter 8, Section Chapter 11, Section 5(f), 8 3(e)(i)(D)]. These violations were also documented during the April 7, 2009 inspection.
2. There are no records being kept documenting that the required initial and refresher hazardous waste training has been given to and completed by facility personnel. [HWRR, Chapter 8, Section 8 3(e)(i)(D); 11 4(g)(iv)(D)]
3. The generator does not inspect all hazardous waste containers for leakage and corrosion at least weekly. [HWRR, Chapter 8, Section 3(e)(i)(A)(I)] This violation was also documented during the October 30, 2009, April 7, 2009, and May 1, 2007, inspections of the facility.
4. The HW container(s) are not labeled/marked with the wording "Hazardous Waste". [HWRR, Chapter 8, Section 3(e)(i)(C)] This violation was also documented during the October 30, 2009, April 7, 2009, and May 1, 2007, inspections of the facility.
5. The HW containers are not clearly dated. [HWRR, Chapter 8, Section 3(e)(i)(B)] This violation was also documented during the June 2, 2010, October 30, 2009, April 7, 2009, and May 1, 2007, inspections of the facility.

Herschler Building • 122 West 25th Street • Cheyenne, WY 82002 • <http://deq.state.wy.us>

ADMIN/OUTREACH	ABANDONED MINES	AIR QUALITY	INDUSTRIAL SITING	LAND QUALITY	SOLID & HAZ. WASTE	WATER QUALITY
(307) 777-7758	(307) 777-6145	(307) 777-7391	(307) 777-7369	(307) 777-7756	(307) 777-7752	(307) 777-7781
FAX 777-7682	FAX 777-6462	FAX 777-5616	FAX 777-6937	FAX 777-5864	FAX 777-5973	FAX 777-5973



Mr. Maguire, March 2, 2012

6. The job title and written job description for each position at the facility related to hazardous waste management is not current for facility personnel and does not contain all information required by the regulation. [HWRR, Chapter 11, Section 4(g)(iv)(A) and (B)]

With several of the counts above recurring over past inspections, it is our responsibility to adhere to EPA and state policy on seeking an appropriate penalty for repeated non-compliance. If you have any questions regarding this letter, the attached NOV, or wish to discuss voluntary settlement please feel free to contact Charles Plymale at (307) 335-6951 or Bob Breuer at (307) 473-3454.

Sincerely,



Carl Anderson, Ph.D.
Administrator
Solid and Hazardous Waste Division

Attachment: NOV

**BEFORE THE
ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING**

IN THE MATTER OF THE
NOTICE OF VIOLATION
ISSUED TO:

SINCLAIR WYOMING REFINING CO.,)
SINCLAIR WYOMING REFINERY (40.025)) DOCKET NO. 4967-12
100 E. LINCOLNWAY HIGHWAY)
SINCLAIR WY 82334)

NOTICE OF VIOLATION

NOTICE IS HEREBY GIVEN THAT:

On 12/12/2011, WDEQ/SHWD personnel, Mr. Charles Plymale, conducted an inspection of the Sinclair Wyoming Refinery located at 100 E. Lincolnway Highway, Sinclair, Wyoming. The following violations of the Wyoming Hazardous Waste Rules & Regulations (HWRR) were found during the inspection:

1. There is not sufficient aisle space to allow unobstructed movement of personnel and equipment to assure proper storage of the hazardous waste drum and light bulb crusher hazardous waste container. The hazardous waste satellite accumulation container (light bulb crusher container) was not in control of the waste generating process operator [HWRR, Chapter 8 3(e)(iii) and HWRR, Chapter 8, Section Chapter 11, Section 5(f), 8 3(e)(i)(D)]. These violations were also documented during the April 7, 2009 inspection.
2. There are no records being kept documenting that the required initial and refresher hazardous waste training has been given to and completed by facility personnel. [HWRR, Chapter 8, Section 8 3(e)(i)(D); 11 4(g)(iv)(D)] The required training records were not available at the time of the inspection for the required initial and refresher hazardous waste training.
3. The generator does not inspect all hazardous waste containers for leakage and corrosion at least weekly. [HWRR, Chapter 8, Section 3(e)(i)(A)(I)] Not all hazardous waste containers were being inspected or documented on the weekly inspection records. This violation was also documented during the October 30, 2009, April 7, 2009, and May 1, 2007, inspections of the facility.
4. The HW container(s) are not labeled/marked with the wording "Hazardous Waste". [HWRR, Chapter 8, Section 3(e)(i)(C)] A drum containing debris and bundle scale (K050) was located on the bundle cleaning pad and was not properly labeled. This violation was also documented during the October 30, 2009, April 7, 2009, and May 1, 2007, inspections of the facility.
5. The HW containers are not clearly dated. [HWRR, Chapter 8, Section (e)(i)(B)] A drum containing debris and bundle scale (K050) was located on the bundle cleaning pad and was not dated. This violation was also documented during the June 2, 2010, October 30, 2009, April 7, 2009, and May 1, 2007, inspections of the facility.
6. The job title and written job description for each position at the facility related to hazardous waste management is not current for facility personnel and does not contain all information required by the regulation. [HWRR, Chapter 11, Section 4(g)(iv)(A) and (B)]


ANY PERSON who violates any provision of the Environmental Quality Act, or any rules, standard, permit, license, or variance adopted thereunder is liable to a penalty of ten thousand dollars (\$10,000) for each day of violation, which penalty may be recovered in a civil action brought by the Attorney General in the name of the People of the State of Wyoming; and


THIS NOTICE OF VIOLATION is being sent to you pursuant to Wyoming Statute 35-11-701(c) which requires that in any case of the failure to correct or remedy an alleged violation the Director of the



Department of Environmental Quality shall cause a written notice to be issued and served upon the person alleged to be responsible.

Signed this 8th day of March, 2012


Carl Anderson, Ph.D.
Administrator
Solid & Hazardous Waste Division


John V. Corra
Director
Dept. of Environmental Quality

NOTICE OF VIOLATION

NOTICE IS HEREBY GIVEN THAT:

On 12/1/2011, WDEQSWD personnel, Mr. Charles Pymble, conducted an inspection of the Sinclair Wyoming Refinery located at 100 E. Lincolnway Highway, Sinclair, Wyoming. The following violations of the Wyoming Hazardous Waste Rules & Regulations (HWRR) were found during the inspection:

1. There is not sufficient aisle space to allow unrestricted movement of personnel and equipment to access proper storage of the hazardous waste drum and light bulb crusher containers. The hazardous waste satellite accumulation container (light bulb crusher container) was not in control of the waste generating process operator (HWRR, Chapter 8 Section 8.3(a)(ii) and HWRR, Chapter 8, Section 8.3(a)(iii)). These violations were also documented during the April 7, 2009 inspection.

2. There are no records being kept documenting that the required initial and refresher hazardous waste training has been given to and completed by facility personnel. (HWRR, Chapter 8, Section 8.3(a)(iv)(D)). The required training records were not available at the time of the inspection for the required initial and refresher hazardous waste training.

3. The generator does not inspect all hazardous waste containers for leakage and corrosion at least weekly. (HWRR, Chapter 8, Section 8.3(a)(v)(A)). Not all hazardous waste containers were being inspected or documented on the weekly inspection records. This violation was also documented during the October 30, 2009, April 7, 2009, and May 1, 2007, inspections of the facility.

4. The HW containers are not labeled marked with the working "Hazardous Waste" (HWRR, Chapter 8, Section 8.3(a)(vi)(C)). A drum containing debris and bundle scale (K050) was located on the bundle cleaning pad and was not properly labeled. This violation was also documented during the October 30, 2009, April 7, 2009, and May 1, 2007, inspections of the facility.

5. The HW containers are not clearly dated (HWRR, Chapter 8, Section 8.3(a)(vi)(B)). A drum containing debris and bundle scale (K050) was located on the bundle cleaning pad and was not dated. This violation was also documented during the June 2, 2010, October 30, 2009, April 7, 2009, and May 1, 2007, inspections of the facility.

6. The jobsite and written job description for each position at the facility related to hazardous waste management is not current for facility personnel and does not contain all information required by the HWRR. (HWRR, Chapter 11, Section 11.2(a)(iv)(A) and (B)).

ANY PERSON who violates any provision of the Environmental Quality Act, or any rules, standard, permit, license or variance adopted thereunder is liable to a penalty of ten thousand dollars (\$10,000) for each day of violation, which penalty may be recovered in a civil action brought by the Attorney General in the name of the people of the State of Wyoming; and

THIS NOTICE OF VIOLATION is being sent to you pursuant to Wyoming Statute 15-1-701(c) which requires that in the case of the failure to correct or remedy an alleged violation the Director of the

